

Applicant: THUNNISSEN *et al.*
Serial No.: 10/069,689
Filing Date: February 21, 2002
Supplemental Preliminary Amendment
July 6, 2004
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REMARKS

Claims 1-14 are pending in this application. Applicants herein amend claim 9 to include that the microarray analysis is conducted using the method of claim 1. Claims 10 and 11 are amended to correct typographical errors. Support for the amendments can be found in the specification and claims as filed. The amendments add no new matter. Entry of the amendments is respectfully requested.

The Examiner contacted the undersigned by telephone on June 28, 2004 and made a restriction requirement. The Examiner characterized the claims as belonging to the following claim groups:

Group I: Claims 1-5 and 10, to methods of detecting nucleotide sequences
Group II: Claims 6-8 and 11-14, to devices or kits
Group III: Claim 9, to methods of organizing microarray analysis

Applicants respectfully disagree with the Examiner and traverse the restriction requirement. Applicants provisionally elect Group I and amend claim 9 so that claim 9 is included in Group I.

Applicants submit that references revealed in a search for the subject matter of any of the asserted claim groups might be cited against any of the asserted claim groups. For example, references discovered from a search of the subject matter of Group I would reveal references that might be cited against Groups II and III. Moreover, claim 6 is limited to a device capable of carrying out the method of claim 1. Thus, Applicants submit that it would not impose an undue burden on the Examiner to search and examine the asserted claim groups together. Nevertheless, Applicants have amended claim 9 to limit the cited method of organizing microarray analysis to the method of claim 1.

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Applicants submit that the amendment to claim 9 brings claim 9 into Group I. Applicants request reconsideration and withdrawal of the restriction requirement.

No fee is required in connection with the filing of this Supplemental Preliminary Amendment. If any fee is deemed necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 11-0171.

Respectfully submitted,



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